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<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/520,447	KONISHI ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Louis K. Huynh	3721	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--  
 All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the communication filed 01/05/2005.
2. ☒ The allowed claim(s) is/are 1,2 and 4-14.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date <u>4/12/05</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                              | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Mr. Robert Traver (reg. No. 47,999) on 04/07/2006.
3. The application has been amended as follows:

***Claim 1 has been replaced as follows:***

1. (Currently Amended) A capsule filling-sealing apparatus comprising:
  - a capsule filling section, having a turntable holding empty capsules and rotating intermittently at intervals of a constant rotation angle, configured to sequentially carry out a separation process for separating the body and the cap of said empty capsule at the stop position of the intermittent rotation of said turntable, a filling process for filling said body with a filling material, a connection process for connecting said body with said cap to form each of filled capsules, and a transfer process for discharging said filled capsules to the next process,
  - a capsule transfer section for sequentially receiving and holding said filled capsules from said capsule filling section and for transferring said filled capsules while controlling said filled capsules in a desired posture, and
  - a capsule sealing section having a transfer mechanism for receiving said filled capsules from said capsule transfer section and for transferring them in a substantially horizontal direction, and a sealing mechanism for forming a band seal at the connection portion of the cap and the body of said filled capsule to form each of sealed capsules, wherein
- said capsule transfer section comprises a discharge roller for sequentially receiving said filled capsules from said capsule filling section and for holding them, a connection chute having passages for discharging said filled capsules from said discharge roller and for transferring them using compressed air, and a transfer roller for receiving said filled capsules from said connection chute and for controlling said filled capsules in a desired posture, and
- said capsule filling section, said capsule transfer section and said capsule sealing section are configured integrally so that the production from empty capsules to completed capsules is carried out on the same production line.

Art Unit: 3721

***Claim 3 has been cancelled.***

***In Claim 4:***

“accordance with claim 3” has been changed to: --accordance with claim 1--.

***In Claim 5:***

“accordance with claim 3” has been changed to: --accordance with claim 1--.

***In Claim 13:***

“accordance with claim 3” has been changed to: --accordance with claim 1--.

***In Claim 14:***

“accordance with claim 3” has been changed to: --accordance with claim 1--.

4. The following is an examiner’s statement of reasons for allowance:

The prior art of record fails to disclose and/or teach a capsule filling-sealing apparatus that comprises, among other claimed limitations, a capsule transfer section comprises a discharge roller for sequentially receiving said filled capsules from said capsule filling section and for holding them, a connection chute having passages for discharging said filled capsules from said discharge roller and for transferring them using compressed air, and a transfer roller for receiving said filled capsules from said connection chute and for controlling said filled capsules in a desired posture; thus claim 1 defines the claimed invention over the prior art of record.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

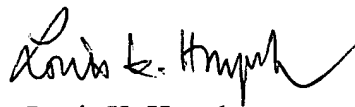
Art Unit: 3721

fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Louis K. Huynh whose telephone number is 571-272-4462. The examiner can normally be reached on M-F from 9:30AM to 5:00PM.

7. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinaldi I. Rada can be reached on 571-272-4467. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Louis K. Huynh  
Primary Examiner  
Art Unit 3721

April 10, 2006